

REGULAR MEETING of the Burrillville Town Council held Wednesday, February 11, 2015 at 7:00 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place

MEMBERS ABSENT: Councilor Kimberly Brissette Brown was excused

1. Council President John F. Pacheco III led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held January 28, 2015, and dispense with the reading of said minutes.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Nancy F. Binns congratulated Renegade 154 on their First TECH Challenge win and wished them the best in the Regional Championship scheduled for March 2015.

5. Special Business:

15-030 VOTED to adopt a proclamation honoring the Nasonville Fire Department on the occasion of its 75th anniversary, as follows:

Burrillville Town Council

Proclamation

WHEREAS, The first organizational meeting of the Nasonville Fire Department was held in St. Theresa's Church Hall on January 23, 1840 and C. Harry Murphy was appointed temporary President and Wilfred J. Bilodeau as temporary Secretary; and

WHEREAS, On February 18, 1940 an association was formed when thirty men volunteered to be firemen and create a Fire Department with officers being elected and re-elected in 1941; and

WHEREAS, The Department consisted of volunteers from the villages of Mohegan, Nasonville, Mount Pleasant and Tarklin and since the local post office was located in Nasonville at the time, it was voted to name the organization "The Nasonville Volunteer Fire Department";

and

WHEREAS, Within a year a new fire truck was purchased and a fire station built on land donated by Stillwater Worsted Company, and funding for the Department in the first couple of years was raised through whist parties, barn dances and other functions such as joint fund raisers with St. Theresa's Church and with the assistance of an informal auxiliary known as "The Daughters of the Firemen"; and

WHEREAS, In February 1943, the Nasonville Fire District was chartered and the collection of taxes began; and

WHEREAS, The first Fire Station on Douglas Pike was used for 24 years, and with the prospect of purchasing new and heavier equipment, a new three bay station was built on Victory Highway in 1965 and a two bay addition has since been added.

NOW, THEREFORE, be it resolved, that we, the Town Council of the Town of Burrillville do hereby offer our sincere congratulations to the many fire fighters who have offered their dedication and service to the community.

BE IT FURTHER RESOLVED that the Town Council on this 11th day of February 2015 congratulates the Nasonville Fire Department on its Seventy-fifth Anniversary and that this significant milestone be recognized throughout the Town of Burrillville.

Adopted by the Burrillville Town Council this 11th day of February 2015.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place. Councilor Nancy F. Binns was excused.

6. Petitions: None

7. Public Hearing:

14-253 Relative to proposed changes to the revised general ordinances of the Town of Burrillville, Chapter 30 entitled Zoning, Sec. 30-71. – Zoning district uses, as it relates to wholesale business and storage of nonflammable and nonexplosive material in a building.

Notice of the public hearing was duly advertised in the Legal Section of the Woonsocket Call on January 27, February 3 and February 10, 2015.

The purpose of the amendment is to permit the use “Wholesale business and storage of nonflammable and nonexplosive material in a building” in a General Commercial (GC) zoning district.

VOTED to open the public hearing.

Motion by Councilor David J. Place. Seconded by Councilor Donald A. Fox. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

Comments/Input/Recommendations from the Ordinance Subcommittee

Councilor Nancy F. Binns, Chair of the Ordinance Subcommittee, reported on the Subcommittee's consideration of the proposed amendments. Councilor Binns said that the Subcommittee supported the changes.

Comments/Input/Recommendation by Administration – Solicitor, Town Manager and Administrative Staff

Michael C. Wood, Town Manager, commented on the purpose of the change, which would permit the use “Wholesale business and storage of nonflammable and nonexplosive material in a building” in a General Commercial (GC) zoning district. Mr. Wood indicated that the Administration believes there were more benefits than detriments. The matter was discussed. Thomas Kravitz, Town Planner, referenced the Planning Board's findings in favor of the proposal. The Administration supported passage of the amendment.

Proponents: none

Opponents: none

VOTED to close the public hearing.

Motion by Councilor David J. Place. Seconded by Councilor Donald A. Fox. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

Town Council deliberation: There was no further discussion.

VOTED to adopt the proposed changes to the revised general ordinances of the Town of Burrillville, Chapter 30 entitled Zoning, Sec. 30-71. – Zoning district uses, as it relates to Wholesale business and storage of nonflammable and nonexplosive material in a building, as presented in the agenda, (as follows):

ARTICLE III. - ZONING DISTRICT USE REGULATIONS

Sec. 30-71. - Zoning district uses.

TABLE I

Principal Use F-5 F-2 R-40 R-20 R-12 OS VC GC LI GI

Section 10. Wholesale business and storage:

**1. Wholesale business and storage of nonflammable and nonexplosive material in a building N N N N N N N N
Y Y Y**

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

VOTED to adjourn the public hearing.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

8. Unfinished Business: None

9. New Business:

15-031 VOTED to open the correspondence from Michael C. Wood,

Town Manager and Paul A. MacDonald, Chairman, Burrillville Personnel Board, regarding recommendations related to amendments to the classification plan affecting library positions.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

Discussion: Michael C. Wood, Town Manager, reviewed the recommendation to amend the Classification Plan by adopting changes to the base wage for Library Director from \$52,570 to \$60,550 and Library Assistant III from \$28,156 to \$28,856.

VOTED to adopt the amended classification plan for library director up to a minimum base bracket range up to \$60,550 and also adopt the correction for the position's maximum base wage to reflect \$700 increase the other positions received as of July 9th 2014.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly

Brissette Brown was excused.

15-032 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding his recommendations for the transfer of reserved funds.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

Discussion: The proposed transfers from the closing of FYE June 30, 2014 were reviewed. The following transfers were recommended:

- Transfer \$77,669 to the Other Post Employment Benefits (OPEB) reserve fund**
- Transfer \$1,134,283 to the Debt Reduction reserve fund.**
- Transfer \$140,000 for the 2015 statistical revaluation**

VOTED to approve the transfers as recommended by the Town Manager at this time, including the OBEP transfer, the debt reduction transfer and the statistical revaluation monies.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present.

Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-033 VOTED to open the correspondence from Councilor David J. Place regarding his request for discussion and possible action on selecting the format for the 2015/16 Goals and Objectives to be used as the starting point for our workshop as scheduled.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

VOTED to use the document as presented, minus the additions of the rankings, as the starting point for the Goals and Objectives.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-034 VOTED to open the report on the results of the 2014 Charrette.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

Discussion: There was general discussion of the potential uses for the data presented.

VOTED that this Charrette topic be tabled until the next Council meeting.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-035 Correspondence from David J. Place, Chair, Screening Subcommittee regarding the Subcommittee's recommendation to appoint Dennis Anderson as an alternate member of the Budget

Board to serve a one-year term to expire June 30, 2015.

VOTED to appoint Dennis Anderson as an alternate member of the Budget Board to serve a one-year term to expire June 30, 2015.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-036 Correspondence from Juliette Lopez regarding her resignation from the Burrillville Extended Care Division Board of Directors and the Burrillville Recreation Commission effective January 29, 2015.

VOTED to receive with regret, send a note thanking her for her service on both of those committees in the past, and refer to the Screening Subcommittee.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-037 Correspondence from Council President John F. Pacheco III, Chairman of the Board of Administration, regarding his request that the Town Council refer applications of potential members of the Board to the Screening Subcommittee for recommendations.

VOTED to refer applications of potential members of the Board to the Screening Subcommittee for recommendations.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-038 VOTED to open the correspondence from Robert F. Fura, P.E., President of Heron Landing Association, regarding the Association's request that the Town consider incorporating improvements to Oak Lane in any proposed improvements to Lake Shore Drive.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly

Brissette Brown was excused.

Discussion: Michael C. Wood, Town Manager, commented that the Director of Public Works supported the proposal of incorporating improvements to Oak Lane in any proposed improvements to Lake Shore Drive. Mr. Wood indicated that the plan would be included in the CIP proposal and budget for FY2015/16.

VOTED to receive and file.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

Legislation:

15-039 VOTED to open the correspondence from Dr. Frank Pallotta, Superintendent of Burrillville Schools regarding the Rhode Island Superintendents' Association positions regarding:

A) Charter schools

B) Lifting the Housing Aid Moratorium (Senate Bill 2015 – S 0100)

Motion by Councilor Stephen N. Rawson. Seconded by Councilor

David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

VOTED to support the legislative agenda as presented by the School Department.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

10. Town Clerk/Communication:

15-040 VOTED to receive and file the Pascoag Reservoir Dam Management District Annual Report for year ending 2014.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly

Brissette Brown was excused.

15-041 VOTED to receive and file the Department of Homeland Security, Federal Emergency Management Agency Region I letter of approval of the Town of Burrillville's Hazard Mitigation Plan.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-042 VOTED to receive and file the Supreme Court of Rhode Island Prebriefing Notice: TCPL Ocean State Ltd V. Susan Makar (Case SU-15-0026).

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

15-043 VOTED to receive and file the Notice of Pascoag Explorers Post 4 Sunday Breakfast scheduled for February 22, 2015.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

11. Additional New Business:

15-044 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property (Assessors Map 179, Lots 89 and 90); and [§42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property (Assessors Map 174, Lots 001 and 002).

The request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [§42-46-5(a)(2)] for discussion and action relative to employee pension litigation was withdrawn.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting

in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

There was a recess before Executive Session.

The Town Council returned to open session at 8:08 P.M.

VOTED to seal the minutes of Executive Session, noting that one vote had been taken.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was excused.

12. VOTED to adjourn at 8:08 P.M.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly

Brissette Brown was excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk